

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ADENTA GMBH, DR. WOLFGANG HEISER,
and MR. CLAUS SCHENDELL,

Plaintiff,

v.

Case No. 04-C-905

ORTHOARM, INC., and
AMERICAN ORTHODONTICS CORPORATION,

Defendant.

ORDER

The parties to this case have moved to cancel all the remaining discovery, motion and trial dates which were set with the agreement of counsel at the scheduling conference held on December 7, 2004. The parties say that they have been attempting to settle. They also say that the Plaintiffs are residents of Austria, Germany and Canada and want a date certain for trial so that they can reduce their travel expenses.

The court's Scheduling Order warns the parties that the pendency of settlement discussions cannot serve as an excuse for failing to meet the deadlines. The deadline for the filing of dispositive motions expired on August 1, 2005.

Because the movants have not established sufficient cause for vacating all the deadlines set at the December 7, 2004, scheduling conference, the court ORDERS

that the "Stipulated Motion to Extend Case Schedule" (filed August 29, 2005) IS GRANTED IN PART AND DENIED IN PART as follows:

1. All discovery shall be completed on or before December 9, 2005.
2. A final pretrial conference will be held on the originally scheduled date of December 13, 2005, at 9:00 a.m.
3. A jury trial will commence on January 30, 2006, at 9:30 a.m. This action is in the number one position for trial on that date.

The court will not set a new date for the filing of dispositive motions. The parties did not move to extend the date until almost a month after the deadline passed.

Done and Ordered in Chambers at the United States Courthouse, Milwaukee, Wisconsin, this 29th day of August, 2005.

s/Thomas J. Curran

THOMAS J. CURRAN

United States District Judge